

### SECTION III—REMARKS

This amendment is submitted in response to the final Office Action mailed June 6, 2005. Claims 1-28 are canceled and new claims 29-32 are added. Claims 29-32 remain pending in the application. Applicant respectfully requests reconsideration of the application and allowance of all pending claims in view of the above amendments and the following remarks.

#### Claim Objections

The Examiner objected to claims 7, 8, 19 and 20, but indicated that these claims would be allowable if amended to overcome rejections under 35 U.S.C. § 112 and amended to include all the limitations of their base claims and any intervening claims.

New claim 29 combines the limitations of claim 7 with its base claim, claim 1. Applicant respectfully submits that new claim 29 is therefore now allowable.

New claim 30 combines the limitations of claim 8 with its base claim, claim 1. Applicant respectfully submits that new claim 30 is therefore now allowable.

New claim 31 combines the limitations of claim 19 with its base claim, claim 13. Applicant respectfully submits that new claim 31 is therefore now allowable.

New claim 32 combines the limitations of claim 20 with its base claim, claim 13. Applicant respectfully submits that new claim 32 is therefore now allowable.

#### Rejections Under 35 U.S.C. § 112

The Examiner rejected claims 6-8, 18-20 and 27 under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and claim the subject matter

that Applicant regards as the invention. According to the Examiner, these claims are rendered indefinite by the use of the word "about."

As to claims 6-8, 18-20 and 27, Applicant submits that the Examiner's rejections are rendered moot by the cancellation of these claims.

As to new claims 29-32, MPEP § 2173.05(b)(A) indicates that use of the term "about" is allowed and does not render a claim indefinite; in fact, the example of a permissible use of "about" in this section of the MPEP almost exactly mirrors the way "about" is used in the claims rejected by the Examiner. Nonetheless, to expedite allowance Applicant has removed the word "about" from new claims 29-32, thus removing the perceived indefiniteness. Applicant believes the removal of "about" does not change the scope of the claims, as the claims would be understood to encompass interrupt delays that are approximately those recited.

#### Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 1-5, 9-17 and 21-26 under 35 U.S.C § 103(a) as obvious in view of, and therefore unpatentable over, U.S. Patent No. 5,613,129 to Walsh ("Walsh") in view of U.S. Patent No. 6,735,629 to Cafarelli III *et al.* ("Cafarelli"). Applicant respectfully submits that the Examiner's rejections are moot in view of the cancellation of these claims.

#### Conclusion

Given the above amendments and accompanying remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to allowance of the

claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 292-8600.


Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 8-23-05

  
Todd M. Becker  
Attorney for Applicant(s)  
Registration No. 43,487

Blakely, Sokoloff, Taylor & Zafman LLP  
12400 Wilshire Boulevard, Seventh Floor  
Los Angeles CA 90025-1030  
Phone: 206-292-8600  
Facsimile: 206-292-8606

Enclosure(s): Amendment transmittal, in duplicate